

Rejection of Claims 1-19 Under 35 U.S.C. 102(e) As Being Anticipated By
DiRienzo

Claim 1

Claim 1 recites categorizing a good or service by at least one term describing a characteristic of the good or service and searchable by a first entity and accepting from the first entity a bid to provide a good or service.

For example, referring, *e.g.*, to page 9, lines 3-18, of the present specification, a prospective bidder may enter search criteria for parameters (*e.g.*, phase, therapeutic area, *etc.*) pertaining to a particular clinical study of interest. A web server receives the search criteria and, in response, provides the bidder with a web page describing clinical studies available for bid and corresponding to the search criteria.

DiRienzo, on the other hand, fails to teach a searchable term describing a characteristic of a good or service. For example, DiRienzo, at, *e.g.*, FIG. 6 and col. 11, lines 50-58, discloses a system including a device for facilitating interactive bidding by patients and diagnostic service providers regarding fees to be charged by the participating diagnostic service providers for the reading of one or more digital medical images from a database, whereby the system functions as an open electronic marketplace for the reading of digital medical images.

The Applicant's attorney reiterates the position that DiRienzo in no manner teaches or suggests searchable terms describing a characteristic of the images or image reading. In fact, a careful review of the DiRienzo reference reveals that a term including the word "search" appears only once therein (col. 25, line 38), and then in the context of a computer operating system searching a stored EMR for information indicating where the EMR is to be stored. Consequently, the Applicant's attorney respectfully submits that DiRienzo simply cannot reasonably be regarded as teaching the limitations of claim 1.

Claim 10

Claim 10 recites updating to a browser a measure of time remaining in a bidding cycle.

For example, referring, *e.g.*, to FIG. 4 and page 17, lines 3-8, of the present specification, a computer site displays data including time remaining in a bidding cycle.

DiRienzo, on the other hand, fails to teach updating to a browser a measure of time remaining in a bidding cycle. For example, DiRienzo, at, *e.g.*, FIG. 6 and col. 23, lines 44-58, discloses a system displaying the time at which a medical image to be analyzed is received by clearing-house computer. However, in no manner does DiRienzo teach or suggest updating to a browser a measure of time remaining in a bidding cycle. The Examiner is respectfully requested to point, with specificity, to the portion of DiRienzo that teaches or suggests updating to a browser a measure of time remaining in a bidding cycle.

Claim 12-13 and 15-16

Claim 12-13 and 15-16 are patentable for reasons similar to those discussed above in connection with claim 1.

Claims 2-9, 11, 14 and 17-19

Claims 2-9, 11, 14 and 17-19 are patentable by virtue of their respective dependencies from claims 1, 10, 13 and 16.

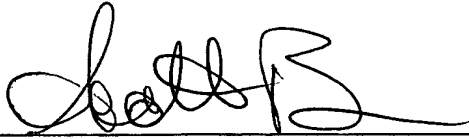
CONCLUSION

In view of the foregoing, claims 1-19 are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425.455.5575. In the event

additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

Respectfully submitted,
GRAYBEAL JACKSON HALEY LLP

Dated: April 27, 2005

A handwritten signature in black ink, appearing to read 'P.G. Scott Born', written over a horizontal line.

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